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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 10

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by Pax Christi International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[5 April 1997]

1. From 22-27 March 1997, a delegation of Pax Christi International (PXI) (namely members of our Dutch section) visited the Urabá region of Colombia. The delegation was joined by a member of the Dutch Parliament. They interviewed representatives of the various church and civilian sectors of parties in conflict and municipal and government officials in the region. Their observations are the following.

2. Since the Pax Christi visit in March 1996, the human rights situation in Urabá has not improved. Individual killings of civilians have continued. Impunity is as high as ever: almost 100 per cent of crimes go unpunished. The number of displaced persons in Urabá has reached hundreds of thousands. Recently the Government of Antioquia has promised more assistance to the displaced victims. However, at the time of the PXI visit the mayors of the cities were still left alone with the immense problem of the displaced. Since February 1997 the civilian population of Urabá Chocó, especially around the village of Rio Sucio - an area traditionally dominated by the guerrilla - is increasingly intimidated, harassed and threatened by groups that call themselves paramilitary or self-defence groups. They force people to leave

their land and homes, leaving cattle and crops behind to die. As a means of pressure, executions are committed in front of the village population. One well-known recent execution is that of a young peasant in the village of Vijao, Martino López, whose body was decapitated and cut into pieces by paramilitaries on 27 February 1997, as a warning to the village population. As of the present time, the authorities have not taken adequate action.

3. In the same period, the surroundings of several villages belonging to the community of Rio Sucio were bombed by planes of the Colombian Air Force, in order to force the population to leave their homelands.

4. As a result of these actions the civil population flees in panic by boat, foot, mule, bus or otherwise to the neighbouring cities of Panama. In this process, many families are broken up; usually the father is lost or killed. Against these paramilitary actions neither the guerrilla (who pretend to protect the civilian population) nor the Army (who also pretend to protect the civilian population) are able or willing to provide effective protection to the civilians. After these atrocities the abandoned villages are usually occupied by the official Army. The methods described above create a concentration of land in the hands of owners who have remained largely unknown.

5. The regional Army commander, General Rito Alejodel Rio Rojas of the 17th Brigade in Carepahas, declared that he is not able to guarantee the return of the thousands of displaced - mostly women and children - to their homes. At the moment the refugees are gathered in inhumane conditions, in primitive refugee camps in cities such as Turbo and Apartado.

6. The guerrilla in the region (mainly EPL and FARC) have lost considerable territory in Urabá as a result of military defeats or because of voluntary surrender to the so-called self-defence organization ACCU (Autodefensas Campesinas Córdoba y Urabá) and the Army. The ACCU is an illegal organization, but to a large extent it has assumed the role of the State to receive, protect and help legalize the status of ex-guerrillas, granting them land and technical assistance in their reintegration process. In this way the ACCU aims at setting the rules for a new society without the guerrilla and their assumed political allies.

7. Basic to the problem of Urabá is the absence of effective State authorities, the actual power is in the hands of groups that operate at the margin of the law. As a reaction to the paramilitary strategy of "guerrilla cleansing", the guerrilla try to regain territory in Urabá. In this process many civilians are killed, by the guerrilla as well as (para) military forces, because they are - rightly or wrongly - suspected of cooperating with the adversary. In recent years hundreds of local administrators, members of municipal councils, mayors, and community workers as well as Indians have been killed.

8. The State forces, especially the Army, are not considered neutral by the population but are seen as part of the conflict. Thus, they are inadequate to protect unarmed civilians since chasing the guerrilla seems to be the Army's main aim. Fear, terror and impunity seem to be the real ruling powers in Urabá.

9. Breaking with the logic of this continuous process of mutual retaliations, on 26 March 1997 the ACCU responded to the request of a priest of the diocese of Urabá and of the Dutch section of PXI and handed over the last five kidnapped civilians (family members of the guerrilla leaders of the guerrilla coalition Coordinadora Guerrillera Simón Bolívar). No condition was imposed. It was meant as a gesture of goodwill, to break the vicious circle of kidnappings and violence. However, so far the guerrilla have responded in a negative way. They refused to dialogue with the ACCU, denouncing it as illegal, and put such conditions on the peace talks with the central Government that the authorities are unlikely to comply with the demands (e.g. demilitarization of large parts of Colombian territory). The guerrilla also did not show sincere willingness to release the 60 soldiers they captured in September 1996 at the military base in Las Delicias, Caquetá.

10. Amidst the continually increasing violence, the diocese of Apartado is promoting "peace communities" (comunidades de paz) where armed forces, both legal and illegal, have no access. People should be able to defend themselves without arms and reconstruct their lives without being forced to be involved in any way with any party to the armed conflict.

11. On Sunday, 23 March 1997, San José de Apartado, an area including 28 small villages, was proclaimed a comunidad de paz in the presence of the delegation including the member of the Dutch Parliament and representatives of Pax Christi Netherlands. The delegation was requested by the communities and the church to monitor the initiative in order to help guarantee the development of this vulnerable civil peace attempt.

12. Recommendations:

(a) Pax Christi International appeals to all parties to the conflict to respect the initiative of the civilian population of the peace communities to regain its autonomy and not to be forced to cooperate with any political or armed force;

(b) Pax Christi International appeals to the provincial and national Governments to undertake serious action in order to protect the civilian population against violence and to guarantee the victims of displacement safe return to their homes and lands. For immediate relief the UNHCR programme for internally displaced persons could possibly provide assistance;

(c) Pax Christi calls upon the international community to increase its presence in the area of Urabá and to participate in the development of peace communities by monitoring this peace initiative and contributing to the peace and development programmes;

(d) Pax Christi International calls upon the European Union and specifically European multinationals not to contribute to the chronic violence in Colombia by paying large ransoms for their nationals kidnapped by the guerrilla and paying protection money (to guerrilla or to (para) military) in order to guarantee their safe foreign investment. Instead of paying to support violence, Pax Christi calls upon European countries and investors to contribute constructively to a policy at European level against kidnappings in Colombia.

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REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-EIGHTH SESSION

Written statement submitted by the Anglican Consultative Council, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[7 April 1997]

Contemporary forms of slavery

1. The Anglican Communion Office at the United Nations has been informed of conditions of forced servitude which continue to exist in areas in Mauritania and in border areas along the country's periphery. Although formally abolished in 1980, the persistence of slavery and other conditions of forced servitude continue to deny the human rights of thousands of people, including families and children.

2. The exacerbation of tensions between the Governments of Senegal and Mauritania in the late 1980s contributed to the outbreak of violent conflict between certain segments of the black African and Arab populations. It has come to our attention that discrimination against black Africans in Mauritania has become especially intense, such that equal employment opportunities, access to public services and other public goods have been denied them.

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3. While it may be the express public and legal position of the Government of Mauritania that conditions of servitude should not exist, the conditions of life for thousands of rural farm workers and their families along the border areas of the country suggest otherwise. Part of the problem which exists results from the fact that many of those who have been subjugated lack either the resources or access to judicial protection which may be necessary for them to live as free human beings in their own right.

4. It is also critical to note that conditions of servitude also exist in a number of other places around the world. In some cases it occurs because Governments tolerate such practices; hence, their silence may be interpreted by some as tacit consent. In a review of the problem of slavery and conditions of forced servitude, the Sub-Commission on Prevention of Discrimination and Protection of Minorities formed the Working Group on Contemporary Forms of Slavery. The scourge of slavery, however, continues to persist because many member Governments of the Commission have still been unsuccessful in drafting a strong convention on contemporary forms of slavery.

5. In this context, the Anglican Communion Office is specifically requesting the Commission to develop a realistic and manageable time-table to adopt a formal, legally enforceable international covenant on the issue of slavery and conditions of forced servitude. This covenant is especially significant in the context of the deliberations on the Convention on the Rights of the Child.

6. One of the key problems which the Commission has yet to address involves the coordination of various United Nations organizations and intergovernmental assemblies which have previously deliberated on matters such as these. The issue of slavery and forced servitude is intrinsic to the rights of children, women, minorities, economic, civil and political freedoms, the question of foreign investment, and the illegal traffic of individuals for various ignoble ends. The task at hand, therefore, is to draft a broad covenant which affirms the dignity of every person in its fullest forms.

7. The Anglican Communion Office urges the Commission to treat this matter with the greatest sense of urgency because it involves the fundamental principle of an individual's right to live in peace, which we often take for granted. While a number of laudable statements and pronouncements can be made in the defence of human freedoms, only those which a Government will faithfully endorse and actively enforce can have real impact in changing the political culture of any given society. We sincerely hope that the courage and the resolve to pursue such a task is present and will be evident in the deliberations on this issue by this Commission.

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Joint written statement submitted by Franciscans International, International Association for Religious Freedom, Transnational Radical Party and World Confederation of Labour, non-governmental organizations in general consultative status, the African Association of Education for Development, the American Association of Jurists, Change, International Association of Democratic Lawyers, International League for the Rights and Liberation of Peoples, International Work Group for Indigenous Affairs, Pax Romana and Women's International League for Peace and Freedom, non-governmental organizations in special consultative status, Centre Europe-Tiers Monde, International Association of Educators for World Peace, International Educational Development, Inc., International Falcon Movement, International Movement against All Forms of Discrimination and Racism, Movement against Racism and for Friendship among Peoples, United Nations Association of Great Britain and Northern Ireland and World Organization against Torture, non-governmental organizations on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[7 April 1997]

GE.97-11853 (E)

The situation of human rights in the Islamic Republic of Iran demands a serious solution by the international community

1. The fifty-third session of the Commission on Human Rights has begun considering the situation of human rights in the Islamic Republic of Iran following the adoption by the United Nations of the thirty-ninth resolution of condemnation of the violation of the internationally recognized norms of human rights by the Iranian regime. By adopting 39 resolutions in more than a decade, tne General Assembly has unequivocally stated its profound concern over the systematic abuse of human rights by the Government of Iran. Under such circumstances, Iranian officials' disregard for these resolutions and their persistence in violating fundamental human rights only reflect a lack of commitment to the most elementary principles of the international community.

2. Thus, the next resolution, if adopted by the current session of the Commission must therefore be considered a turning point and offer an opportunity to find ways which would compel the Government of Iran to respect the content of these resolutions. By sending a strong signal to the Islamic Republic of Iran, the United Nations must express its grave concern about this situation and look for appropriate measures to implement these resolutions. This is especially the case because numerous signs testify to the deteriorating situation of human rights in that country. In his interim report to the General Assembly, the Special Representative stated that the condition of human rights in the Islamic Republic of Iran might well have deteriorated since his earlier report to the fifty-second session of the Commission on Human Rights.

3. The refusal of the Government of Iran to allow a second visit by the Special Representative to Iran offers ample proof of this fact. It seems that Iranian officials are very concerned about in situ investigations by the Special Representative. A look at reports by non-governmental human rights organizations and published reports in the domestic and international media lead one to consider last year as one of the worst years of the Islamic Republic of Iran as far as human rights were concerned.

4. In the past year alone, the State-controlled media have reported at least 150 executions, three times the figure of last year. Most political executions are carried out secretly and many dissidents are arrested and executed under the pretext of non-political offences or "disloyalty to Islam and the State". On 22 June 1996, after several years of incarceration, Mr. Mehrdad Kalani, a political dissident who was arrested for meeting with the Special Representative (see E/CN.4/1992/34, para. 368), was executed along with a number of other political prisoners, including Mr. Ahmad Bakhtari who had met Mr. Copithorne last year in Evin prison. Many of these executions are carried out in public, an act considered contrary to the principles of international law by the Human Rights Committee. On 17 March 1996, Reuters quoted opposition sources as saying that in the first two weeks of the month, and simultaneous with the Commission's fifty-second session, 22 persons were hanged publicly in different cities. Doubtless, this inhuman conduct serves no purpose other than spreading an atmosphere of fear and terror among the people to prevent protest actions. The demonstration by tens of thousands of

people in Kermanshah, western Iran, last November that led to the death of 50 people and the arrest of hundreds and the execution of scores of protesters, as well as the protest gathering of oil workers in front of the Ministry of Oil in Tehran on 16 February 1997 which resulted in the arrest of the majority of the demonstrators and the death of two of them under torture, are examples of these protests.

5. Also last year, 32 Iranian dissidents were assassinated outside Iranian borders. The figure is four times the number of political killings last year. The responsibility of the Iranian regime's secret services and diplomatic offices in planning and executing these assassinations is no secret. In the course of the trial of a number of the killers of four Iranian Kurdish dissidents in Berlin, the German Federal Prosecutor recently declared that the order for the murders had been issued by the most senior officials of the Islamic Republic of Iran, meaning the President and the leader of the regime. German judicial officials had previously issued an arrest warrant for Intelligence Minister Ali Fallahian, on the same charge.

6. Investigations with respect to the 20 February 1996 assassination in Turkey of Mrs. Zahra Rajabi, a senior member of the National Council of Resistance (NCR) of Iran, confirmed that a deputy in the Iranian Consulate in Istanbul had led the hit squad. In Italy, Hamid Parandeh a former diplomat at the Iranian Embassy in Rome, is suspected of having taken part in the assassination in March 1993 of Mr. Mohammad Hossein Naghdi, the NCR representative in Italy.

7. Previously, the Swiss investigative magistrate Roland Chatelain concluded that the 24 April 1990 assassination of Professor Kazem Rajavi near Geneva was carried out by 13 agents of the Iranian regime, all of whom were dispatched to Tehran, using diplomatic passports. The resort to the use of sophisticated giant mortars to eliminate opponents abroad arouses greater concern among human rights advocates. Therefore, the international community is justified in having serious misgivings regarding respect by Iranian officials for the right to life.

8. The tragic plight of women in Iran and the comprehensive discrimination against them in their everyday life have been repeatedly exposed in different reports. What is the source of serious concern more than at any other time is the deterioration in their plight in the country. Government propaganda and hollow schemes can in no way conceal this fact. In a report from Tehran last February, Agence France Presse (AFP) quoted the State media about the adoption of a new series of binding regulations with respect to the compulsory dress code for women. Referring to comments by judicial officials, the report added that from now on a series of punishments including 3 to 12 months in jail, fines and 47 lashes of the whip, are stipulated for this offence. On the basis of its reporter's observations, AFP has repeatedly covered the widespread arrests of women for "mal-veiling". On the other hand, the mullahs' Interior Ministry recently confirmed the arrest of tens of thousands of people in the last eight months for drug trafficking. On this basis, in December, January and February alone, 730 people were arrested on this charge every day.

9. The suppression of religious minorities is another aspect of the violations of human rights by the Islamic Republic of Iran. The situation has taken on new dimensions in recent months. This year, there have been many reports about the murder of Sunni and Christian minorities. On 4 February 1996, the body of Dr. Ahmad Sayyah, a Baluchi Sunni leader, was found in Minab, south-eastern Iran. Two days earlier he had been arrested by government forces at Bandar airport. On 4 March the same year, two Sunni clergymen, Abdol-Malek Mullah-Zadeh, 45, and Abdol-Nasser Jamshid Zehi, 25, were murdered in Karachi, Pakistan. On 6 November 1996, the body of Abdol-Aziz Kazemi-Vajd, a leader of the Sunni community, was found near Zehedan, south-eastern Iran. Mullah Mohammad Rabi'i, another Sunni leader, was killed under dubious circumstances for protesting the broadcast of a television programme which had insulted the leaders of this community. On 28 September 1996, the body of Mohammad Baqer Yousefi, a Protestant pastor, was found in northern Iran. He had been hanged. Claims by Iranian officials that the case was one of "suicide over family problems" or "death due to a heart attack" are but a scheme to evade international censure.

10. The above examples, along with many other cases such as the flagrant violations of the freedom of expression and the crackdown on Iranian intellectuals in recent months, demonstrate that the Iranian regime is moving ahead with severe abuse of human rights. Does the international community intend to limit itself to the adoption of resolutions of condemnation of the Islamic Republic of Iran? The Iranian regime's disregard for these resolutions will strike irremediable blows to global decisions and available means to secure respect for universal and indivisible human rights. "Dialogue" as a means to improve human rights could not be justified if it did not result in clear and specific results to this end.

11. It is quite realistic that the time has come to take coordinated international action as the necessary guarantee to compel this regime to respect human rights norms. By adopting a strongly worded resolution and stating deep concern over the most recent cases of human rights abuses and the persistence of these crimes, the fifty-third session of the Commission on Human Rights must stress the need for such decisiveness.

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